

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 10-10414-WGY
	)	
KEVIN B. KELLY,	)	
Defendant.	)	

**DECLARATION OF PUBLICATION**

Pursuant to Rule 32.2(b)(6)(C) of the Federal Rules of Criminal Procedure, which authorizes the manner of publication of an Order of Forfeiture in a criminal case, notice of the forfeiture was posted on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days, beginning on April 28, 2011 and ending on May 27, 2011. *See* Attachment 1.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief. Executed on June 8, 2011 at Boston, Massachusetts.

/s/ Christine J. Wichers  
SCOTT L. GARLAND  
CHRISTINE J. WICHERS  
Assistant United States Attorneys  
U.S. Attorney's Office  
1 Courthouse Way, Suite 9200  
Boston, MA 02210  
(617) 748-3100

**CERTIFICATE OF SERVICE**

I hereby certify that this document, filed through the Electronic Court Filing system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

Dated: June 8, 2011

/s/ Christine J. Wichers  
CHRISTINE J. WICHERS  
Assistant United States Attorney

ATTACHMENT 1

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
COURT CASE NUMBER: CR 10-10414-WGY; NOTICE OF FORFEITURE**

Notice is hereby given that on March 23, 2011, in the case of U.S. v. Kevin B. Kelly, Court Case Number CR 10-10414-WGY, the United States District Court for the District of Massachusetts entered an Order condemning and forfeiting the following property to the United States of America:

one John Deere Tractor bearing Vehicle Identification Number TCM0502608M and serial number 97-685N462

one ATV Polaris Sportsman bearing Vehicle Identification Number 4XAMH76A46A651466

one Chevrolet Corvette bearing Vehicle Identification Number 1G1YY26E985100647

The United States hereby gives notice of its intent to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person, other than the defendant(s) in this case, claiming interest in the forfeited property must file a Petition within 60 days of the first date of publication (April 28, 2011) of this Notice on this official government internet web site, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(1). The petition must be filed with the Clerk of the Court, 1 Courthouse Way, Suite 2300, Boston, MA 02210, and a copy served upon Assistant United States Attorney Veronica M. Lei, 1 Courthouse Way, Suite 9200, Boston, MA 02210. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

Following the Court's disposition of all petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such petitions, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.



### Advertisement Certification Report

The Notice of Publication was available on the [www.forfeiture.gov](http://www.forfeiture.gov) web site for at least 18 hours per day between April 28, 2011 and May 27, 2011. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. Kevin B. Kelly

**Court Case No:** CR 10-10414-WGY  
**For Asset ID(s):** See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	04/28/2011	24.0	Verified
2	04/29/2011	24.0	Verified
3	04/30/2011	24.0	Verified
4	05/01/2011	24.0	Verified
5	05/02/2011	24.0	Verified
6	05/03/2011	24.0	Verified
7	05/04/2011	24.0	Verified
8	05/05/2011	24.0	Verified
9	05/06/2011	24.0	Verified
10	05/07/2011	24.0	Verified
11	05/08/2011	24.0	Verified
12	05/09/2011	24.0	Verified
13	05/10/2011	24.0	Verified
14	05/11/2011	24.0	Verified
15	05/12/2011	24.0	Verified
16	05/13/2011	24.0	Verified
17	05/14/2011	24.0	Verified
18	05/15/2011	24.0	Verified
19	05/16/2011	24.0	Verified
20	05/17/2011	24.0	Verified
21	05/18/2011	23.9	Verified
22	05/19/2011	23.9	Verified
23	05/20/2011	23.9	Verified
24	05/21/2011	24.0	Verified
25	05/22/2011	24.0	Verified
26	05/23/2011	24.0	Verified
27	05/24/2011	24.0	Verified
28	05/25/2011	23.9	Verified
29	05/26/2011	23.9	Verified
30	05/27/2011	24.0	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.